

1001XXXXXXXXXX : **exp: 54

To: USPTO via eFax Messenger Page 2 of 37

2008-03-04 20:44:56 (GMT)

14047950935 From: Dan McClure

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PETITION TO ACCEPT UNAVOIDABLY DELAYED PAYMENT OF MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(b))

Docket Number (Optional)

252302-1100

Mail to: Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Fax: (571) 273-8300

Refund Ref:
05/20/2011

0030097916

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HA Exp.: XXXXXXXXXXXX1001

Patent No. 5,974,528 Application Number 09/111,305
Issue Date October 26, 1999 Filing Date July 7, 1998

CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).

Also complete the following information, if applicable

03/07/2008 DALLEN 00000012 5974528

The above-identified patent:

01 FC:1557 700.00 OP

☐ is a reissue of original Patent No. _____ original issue date _____
original application number _____
original filing date _____

☐ resulted from the entry into the U.S. under 35 U.S.C. 371 of international application _____ filed on _____

CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is
(1) being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 OR
(2) transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

March 4, 2008
Date

Daniel R McClure
Signature

Daniel R McClure
Typed or printed name of person signing Certificate

03/07/2008 DALLEN 00000012 5974528

01 FC:1551

930.00 OP

(Page 1 of 4)

This collection of information is required by 37 CFR 1.378(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED APPLICATIONS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Adjustment date: 05/20/2011
03/07/2008 DALLEN 00000012 5974528
01 FC:1551
Refund Ref: 05/20/2011 0030097916
-930.00 OP

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Adjustment date: 05/20/2011 CKHLOK
03/07/2008 DALLEN 00000012 5974528
01 FC:1552
-2360.00 OP

PAGE 2/37 RCVD AT 3/4/2008 3:45:02 PM [Eastern Standard Time] * SVR:USPTO-EFXXRF-6/36 * DNIS:2738300 * CSID:14047950935 * DURATION (mm:ss):10:56

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Adjustment date: 05/20/2011 CKHLOK
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8. SHOWING

The enclosed statement will show that the delay in timely payment of the maintenance fee was unavoidable since reasonable care was taken to ensure that the maintenance fee would be paid timely and that this petition is being filed promptly after the patentee was notified of, or otherwise became aware of, the expiration of the patent. The statement must enumerate the steps taken to ensure timely payment of the maintenance fee, the date and the manner in which the patentee became aware of the expiration of the patent, and the steps taken to file the petition promptly.

9. PETITIONER(S) REQUESTS THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE
ACCEPTED AND THE PATENT REINSTATED.

	March 4, 2008
Signature(s) of Petitioner(s)	Date
Daniel R. McClure	38,962
Typed or printed name(s)	Registration Number, if applicable
600 Galleria Pkwy, SE, Suite 1500	770-933-9500
Address	Telephone Number
Atlanta, GA 30339	
Address	

ENCLOSURES:

- ☒ Maintenance Fee payment
☒ Statement why maintenance fee was not paid timely
☒ Surcharge under 37 CFR 1.20(i)(1) (fee for filing the maintenance fee petition)
☐ Other:

(Page 3 of 4)

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND										
1 Date of Request: 05/19/11		2 Serial/Patent # 09/111,305 pat. 5,974,528								
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT						
	Filing			\$						
	Amendment			\$						
	Extension of Time			\$						
	Notice of Appeal/Appeal			\$						
	Petition		03/04/10	\$ 700.00						
	Issue			\$						
	Cert of Correction/Terminal Disc.			\$						
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	Assignment			\$						
	Other Maintenance		03/04/10	\$ 2,360.00						
			7 TOTAL AMOUNT OF REFUND	\$ 3,990.00						
8 TO BE REFUNDED BY: CC										
10 REASON:		Treasury Check								
	Overpayment	Credit Deposit A/C #:								
	Duplicate Payment	9 <table border="1" style="display: inline-table; border-collapse: collapse;"><tr><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px; text-align: center;">--</td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td></tr></table>					--			
		--								
	No Fee Due (Explanation):									
Patent not reinstated.										
11 REFUND REQUESTED BY:										
TYPED/PRINTED NAME: Karen Creasy		TITLE: Petitions Examiner								
SIGNATURE: /Karen Creasy/		PHONE: 2-3208								
OFFICE: Petitions										
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APPROVED:		DATE: 5/20/11								

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